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APPENDICES

Appendix A: Faunal Compendium

SECTION 1: SUMMARY

This report contains the findings of Michael Brandman Associates (MBA) focused survey for the burrowing owl (*Athene cunicularia hypugae*) (BUOW) on an approximate 103-acre property located in Ontario, San Bernardino County. The Project Site provides suitable foraging, dispersing and breeding habitat for the BUOW. A total of seven BUOW were determined to occupy the survey area. This included three pairs with active nests and one individual owl for a total of four territories.

SECTION 2: INTRODUCTION

At the request of Latham & Watkins, MBA conducted a focused BUOW survey for a 103-acre property located in the City of Ontario, San Bernardino County, California. This property is hereinafter referred to as Project Site or Site.

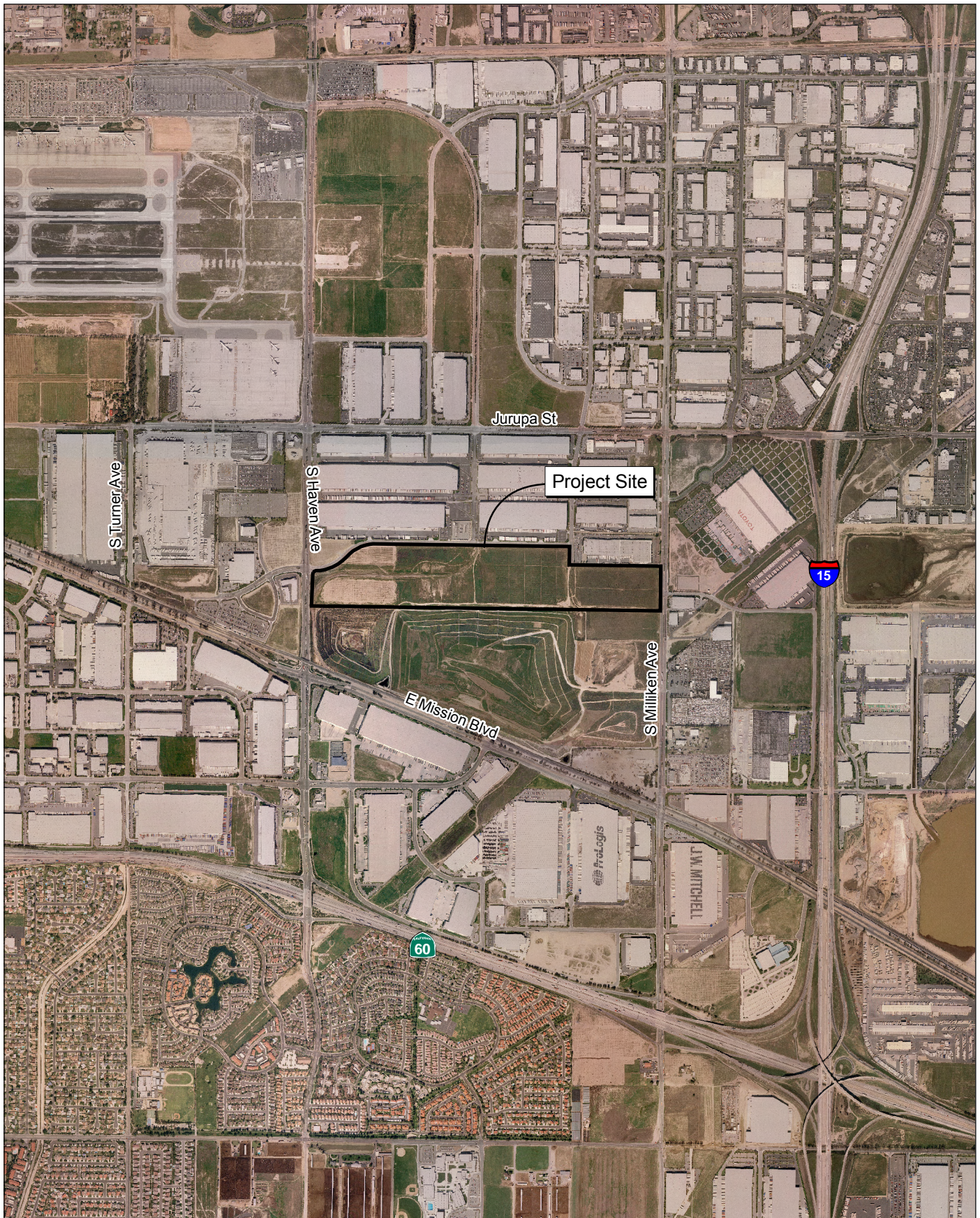
2.1 - PROJECT LOCATION

The Project Site is a 103-acre parcel located in Ontario, San Bernardino County, California. The Project Site is generally located west of Interstate 15, north of State Route 60, and south of Interstate 10 (Exhibit 1). More specifically, the Project Site is located south of and abutting Francis Street, east of and abutting Haven Avenue, west of and abutting Milliken Avenue, and north of Mission Boulevard (Exhibit 2).

It consists of the following assessor parcel numbers (APNs): 0211-281-04, -21, and -04. The Project Site occurs in Section 36, Township 1 South, Range 7 West on the Guasti US Geological Survey (USGS) 7.5-minute topographic quadrangle (Exhibit 3).

2.2 - PROJECT DESCRIPTION

The Sares Regis Group plans to develop the site for commercial purposes. As part of this plan, the entire site will developed.



Source: GUAISTI SW & SE (1997) 3.75 DOQQ



Michael Brandman Associates

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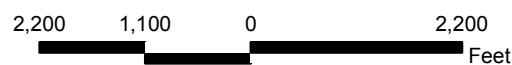
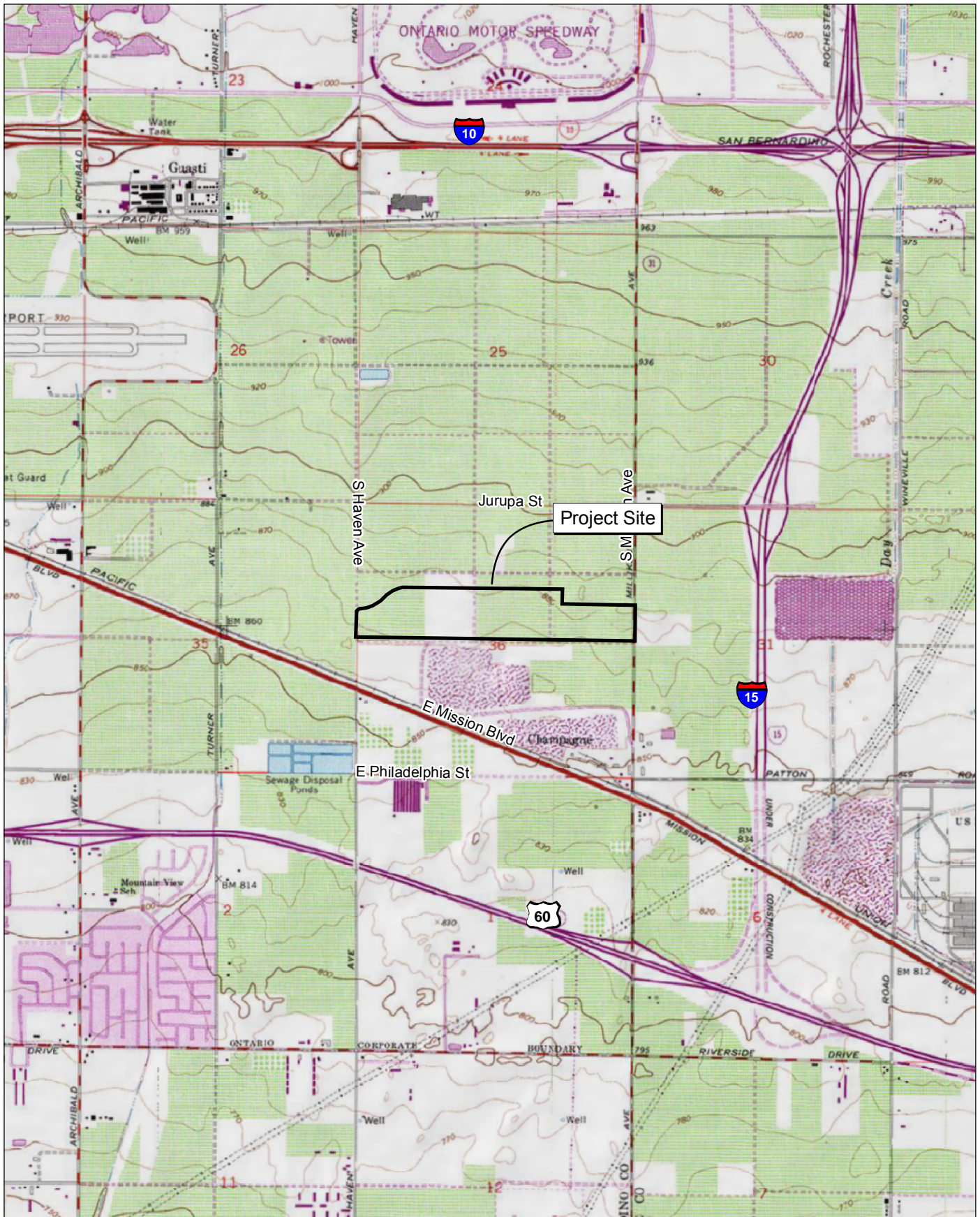


Exhibit 2 Local Vicinity Aerial Map

SARES REGIS GROUP, 99.0 ACRE ONTARIO PROPERTY
FOCUSED BURROWING OWL REPORT



Source: USGS GUASTI Quad SW&SE, MBA GIS 2006.



Michael Brandman Associates

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2,900 1,450 0 2,900
Feet

Exhibit 3 Local Vicinity USGS Map

SARES REGIS GROUP, 99.0 ACRE ONTARIO PROPERTY
FOCUSED BURROWING OWL REPORT

SECTION 3: METHODOLOGY

The survey area included the entire Project Site. A 500-foot buffer was not surveyed due to the lack of suitable habitat to the north, east and west, where development occurs. To the south is the Milliken Landfill and, in its current state, does not provide suitable nesting opportunities. The survey area was assessed on foot by MBA biologist Mikael Romich on five occasions: April 13, 2006, from 6:00 a.m. to 9:30 a.m; April 18, 2006, from 6:00 a.m. to 10:00 a.m; April 20, 2006, from 5:00 p.m. to 7:30 p.m; April 27, 2006 from 6:00 a.m. to 10:00 a.m; and, May 4, 2006, from 6:00 a.m. to 9:00 a.m. MBA biologist James Hickman was also present during the April 18, 2006 survey. Transects were spaced to ensure 100 percent coverage. Presence of BUOW was determined by direct observations and presence of sign, including pellets, white wash, feathers, or prey remains. Rodent burrows were thoroughly examined for presence of sign. Surveys followed protocol as recommended by the California Burrowing Owl Consortium (1993).

SECTION 4: BACKGROUND

The BUOW is a state species of concern due to their decline in the state of California in the past 30 years. It occurs in short-grass prairies, grasslands, lowland scrub, agricultural lands (particularly rangelands), prairies, coastal dunes, and desert floors. The BUOW may also use golf courses, cemeteries, road allowances within cities, airports, vacant lots in residential areas, university campuses, fairgrounds, abandoned buildings, and irrigation ditches. The presence of recently excavated burrows is the primary habitat requirement for nesting. They may also use pipes, culverts, and nest boxes where burrows are scarce. One burrow is typically selected for use as the nest; however, satellite burrows are usually found within the immediate vicinity of the nest burrow within the defended territory of the owl. BUOWs are generally considered to be monogamous, although new mates often appear when one of the pair dies or when the pair divorces. Although open areas with short vegetation are critical for nesting, there is some evidence that BUOWs prefer a vegetation mosaic with nesting habitat interspersed within taller vegetation for hunting. However, the primary requirement for suitable BUOW foraging habitat appears to be low vegetation cover that allows visibility and access to prey.

SECTION 5: SITE CONDITIONS

The Site is relatively flat. Elevation onsite was approximately 880 feet above mean sea level. Surrounding land uses include agricultural lands and developed areas to the north, east, and west, and a Landfill to the south. Portions of the Project Site have been historically utilized for agricultural purposes (grape) and habitat onsite consists of grassland and ruderal vegetation. Portions of the Project Site are actively disked.

SECTION 6: RESULTS AND DISCUSSION

6.1 - BURROWING OWL

The Project Site provides suitable nesting opportunities due to the abundance of ground squirrel burrows, as well as foraging and dispersing habitat. The Project Site contained four BUOW territories. Exhibit 4 shows the approximate location of the four identified BUOW territories.

Territory 1. A single BUOW (unknown sex) was observed occupying two burrows at two different locations. The first location was at the southeast portion of the project site where a BUOW flushed from a burrow (Exhibit 4) during the first survey. However, the burrow did not show any BUOW sign. The owl flushed a short distance to the east and was located in the channel under some concrete, but no BUOW sign was located here either. On the second survey, the burrow that the owl had flushed from during the first survey had been collapsed by a fossorial mammal. This owl was not relocated during subsequent surveys despite a thorough search in this area. A single BUOW (unknown sex) was located in the northwestern portion of the project site, occupying a burrow at the base of a grape plant (Exhibit 4). The burrow did not show substantial sign, and was not considered a nest location. During the subsequent fifth survey, the owl was relocated at this location. The owl was not observed at these two separate locations on the same survey day, and it was concluded to be a floater BUOW that moves between burrows on the project site. Confirmation that this was the same owl observed at these two separate locations was not possible since the owl was not banded.

Territory 2. A single BUOW (assumed to be the male) was observed occupying one burrow with substantial BUOW sign, including pellets and white-wash. The burrow was also lined with debris that suggested it was an active nest site. The nest burrow was located on the west-facing base of a grape plant in the southwestern portion of the project site (Exhibit 4). The male was observed perched on the grape plants that provided increased visibility for approaching predators. The timing of the surveys would have coincided with the incubation period of the nesting cycle. During this period, the female is rarely seen because she is incubating the eggs and the male will bring prey items to the burrow entrance for her consumption. For this reason, Territory 2 was assumed to be a pair with an active nest.

Territory 3. A single BUOW (assumed to be the male) was observed occupying one burrow with substantial BUOW sign, including pellets and white-wash. The burrow was also lined with fecal matter and debris that suggested it was an active nest site. The nest burrow was located on the east-facing slope of a small basin in the northern portion of the site (Exhibit 4). The timing of the surveys would have coincided with the incubation period of the nesting cycle. During this period, the female is rarely seen because she is incubating the eggs and the male will bring prey items to the burrow entrance for her consumption. For this reason, Territory 3 was assumed to be a pair with an active nest.